

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Nicholas R. Wilkerson,)	
)	
Plaintiff,)	C.A. No. 6:05-2142-HMH
)	
vs.)	OPINION & ORDER
)	
Greenville Hotel Partners, Inc., R.G.)	
Hospitality, LLC, Ronald Gedda, Choice)	
Hotels International, Inc., and R.G.)	
Properties, LLC,)	
)	
Defendants.)	

This matter is before the court on the court’s sua sponte review of subject matter jurisdiction over the instant action. Nicholas R. Wilkerson (“Wilkerson”) filed suit in this court on July 28, 2005, alleging negligence and breach of implied warranty against Greenville Hotel Partners, Inc. (“GHP”), R.G. Hospitality, LLC (“RG Hospitality”), Ronald Gedda (“Gedda”), Choice Hotels International, Inc. (“Choice Hotels”), and R.G. Properties, LLC (“RG Properties”).

Wilkerson asserts that there is diversity jurisdiction pursuant to 28 U.S.C. § 1332, as Wilkerson is a resident of North Carolina; GHP is a corporation organized under the laws of South Carolina with its principal place of business in South Carolina; RG Hospitality is a limited liability company (“LLC”) organized under the laws of Delaware with its principal place of business in South Carolina; Getta is a citizen and resident of Florida; Choice Hotels is a corporation organized under the laws of Delaware with its principal place of business in Maryland; and RG Properties is an LLC organized under the laws of Delaware with its

principal place of business in South Carolina.¹ However, the citizenship of an LLC is the citizenship of its members. See Gen. Tech. Applications, Inc. v. Exro Ltda, 388 F.3d 114, 120 (4th Cir. 2004). Therefore, RG Hospitality and RG Properties are ordered to provide the citizenship of their members in their answer to Wilkerson's complaint to allow this court to ascertain whether subject matter jurisdiction exists in the instant case. The court's order filed on August 3, 2005, Document number 4, is vacated.

IT IS SO ORDERED.

s/ Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
August 5, 2005

¹Although Wilkerson alleged that RG Hospitality is a corporation under Delaware law, it appears that it is, in fact, a limited liability company.